

INFORMATION PAPER

DAPM-ACC
20 September 2021

SUBJECT: 2020 Army Corrections Command (ACC) Annual Prison Rape Elimination Act (PREA) Report

1. PURPOSE. To publish the annual report and aggregate incident-based sexual abuse data collected as per §115.87 of Title 28, Code of Federal Regulations (C.F.R.), Part 115 (U.S. Department of Justice National Standards to Prevent, Detect and Respond to Prison Rape under the Prison Rape Elimination Act (Prisons and Jails Standards)) occurring at Army Correctional Facilities within the United States.

2. DISCUSSION.

a. The Prison Rape Elimination Act of 2003 (PREA; Public Law 108-79), was enacted to address sexual abuse problems in confinement facilities. Major provisions of PREA include the development of standards for detection, prevention, reduction and punishment of prison rape. PREA also requires all confinement facilities to collect and report detailed information regarding sexual victimization of prisoners. The Act applies to public, private and federal institutions that house adult or juvenile offenders. Presidential Memorandum, "Implementing the Prison Rape Elimination Act," May 17, 2012 directed Department of Defense (DoD) to implement PREA in whole or develop its own standards within 180 days. DoD accepted the PREA standards as written. Directive-type Memorandum (DTM) - 081, "Department of Defense Implementation of the Prison Rape Elimination Act (PREA)" February 10, 2013, required all Services to develop and implement policy and procedures to satisfy the requirements of PREA.

b. Army Corrections Command continues to enforce its zero tolerance policy on sexual abuse and sexual harassment involving prisoners. ACC's goals remain having safer facilities and promoting a reporting culture, free from retaliation. Enforcement of the National PREA standards continues in assisting ACC in upholding operational security. Continued training and awareness support ACC's efforts in protecting potentially vulnerable prisoners from sexual abuse. This is accomplished by ACC's facilities striving to identify those prisoners that are at potential risk for being sexual abusers or victims. ACC Policy Letter #14 is the base policy for facilities to implement policy and procedures to comply with PREA standards. All allegations of sexual abuse and sexual harassment, regardless of severity or merit, are investigated. All sexual abuse allegations are immediately reported to the U.S. Army Criminal Investigation Command (USACIDC) for investigation. For the Department of the Army, USACIDC is the applicable Military Criminal Investigation Organization (MCIO) for investigations. Non-criminal (e.g., administrative) investigations occurring within an Army Correctional Facility generally fall under the cognizance of the facility commander. When USACIDC

determines an allegation is outside of its purview such that the conduct constitutes harassment rather than abuse or assault, it may be referred back to the local facility to investigate.

c. ACC collects data from each facility on all allegations of sexual abuse and sexual harassment. ACC also reviews staffing plans and works in conjunction with facilities to enhance and upgrade Closed Circuit Television (CCTV) coverage. The data is reviewed, then utilized to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies/procedures. The information assists to identify training needs, trends, future budget requirements and areas in policy or procedures and corrective actions are developed as needed. The data is used to complete the U.S. Department of Justice Survey of Sexual Victimization (SSV) when requested.

d. ACC had 672 prisoners confined on December 31, 2020. The number of new admissions to ACC facilities was 264, and the average daily population was 705.

e. In 2020, ACC and the Army PREA working group was limited due to COVID restrictions. During teleconferences the working group reviewed ACC's PREA policy. The group discussed setting up meetings at the Military Correctional Complex (MCC) in June 2021 to review the Victimization and Abuser checklist.

f. The Army's PREA Coordinator and Facilities Compliance Managers continued to reinforce PREA standards and update staff on DoD policies during annual training and watch mount training.

g. The Midwest Joint Regional Correctional Facility started upgrading their camera system. Taking PREA into consideration, they upgraded the quality of those cameras that focused on frisk search areas.

h. There were no PREA Audits in 2020 due to COVID Restrictions. The MCC is scheduled for an audit in July 2021.

i. Based on the review of the data collected, the Army's efforts to have safer facilities, promote a reporting culture, and to combat sexual abuse and sexual harassment in Army Correctional Facilities has been successful. The Army is committed to PREA and to ensuring its correctional facilities are safe for both prisoners and staff.

j. As required by §115.89 of 28 C.F.R. Part 115, this annual report is being made available to the public on the Office of the Provost Marshal General (OPMG) website at <https://www.army.mil/opmg>.

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Facility	2019		
	Allegations of Staff on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	2
MWJRCF	0	0	1
NWJRCF	0	0	0

	2020		
	Allegations of Staff on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	6
MWJRCF	0	0	0
NWJRCF	0	0	0

	2019		
	Allegations of Prisoner on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
	0	0	4
	0	0	2
	0	1	1

	2020		
	Allegations of Prisoner on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
	0	0	0
	0	0	4
	0	0	0

Key:

United States Disciplinary Barracks (USDB)

Midwest Joint Regional Correctional Facility (MWJRCF)

Northwestern Joint regional Correctional Facility-JBLM (NWJRCF)

Facility	2019		
	Allegations of Staff on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	8
MWJRCF	0	0	3
NWJRCF	0	1	2

	2020		
	Allegations of Staff on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	4
MWJRCF	0	0	0
NWJRCF	0	0	0

	2019		
	Allegations of Prisoner on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
	0	0	0
	1	0	1
	1	0	1

	2020		
	Allegations of Prisoner on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
	1	0	0
	2	0	1
	0	0	0

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